

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

UNITED STATES OF AMERICA)	Cr. No. 3:13-966-JFA
)	
v.)	
)	ORDER
MICHAEL JUAN SMITH)	
_____)	

This matter comes before the court upon motion of the United States of America for an Order authorizing disclosure to the Richland County Solicitor’s Office in connection with a state court judicial proceeding (State v. Michael Juan Smith, Indictment #s 2013-GS-40-08336, 08047, 08048, 08049, 08052, and 08053), of investigative reports, witness interviews, and other discovery gathered in the above-captioned federal case.

The court determines that such a disclosure should be authorized and therefore orders that the United States Attorney’s Office and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”) are authorized to make such a disclosure, and that the United States Attorney’s Office and ATF are protected if they choose to do so. The Richland County Solicitor’s Office needs access to documents, reports, and witness statements relevant to their prosecution in State v. Michael Juan Smith and needs to provide those materials to defense counsel as part of their pre-trial discovery.

It therefore appears to the court that the discovery materials are pertinent to the pending state judicial proceeding (State v. Michael Juan Smith). The court finds that it is allowed to authorize such a disclosure to the Richland County Solicitor’s Office because the

court finds such a disclosure is in connection with a judicial proceeding and the Government has demonstrated a particularized need for disclosure in this case.

IT IS THEREFORE ORDERED that ATF and the United States Attorney for the District of South Carolina are authorized to disclose and make available to Richland County Solicitor's Office the federal discovery relevant to the pending state judicial proceeding (State v. Michael Juan Smith) and pre-trial discovery process.

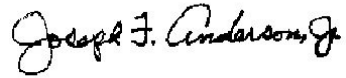
IT IS FURTHER ORDERED that the materials made available under the terms of this Order shall remain under the aegis of the United States Attorney for the District of South Carolina, and shall be returned to the said United States Attorney for the District of South Carolina, at the conclusion of the afore-mentioned judicial proceedings.

IT IS FURTHER ORDERED that the Richland County Solicitor's Office and defense counsel for Smith abide by the directions provided in the "Standing Order Governing Discovery" [3:13-cr-00966, ECF # 9], which governs the discovery materials. The United States Attorney's Office is directed to provide a copy of the "Standing Order Governing Discovery" to the Richland County Solicitor's Office, who in turn is directed to provide it to defense counsel for Michael Juan Smith. The discovery materials are to be strictly governed by the "Standing Order Governing Discovery," which was filed on November 5, 2013. The "Standing Order Governing Discovery" specifically designates how such discovery materials are to be maintained and disseminated, including that discovery designated as "Restricted Materials" are not to be released into the jails, etc. All counsel, their staff, any investigative personnel, and the defendant are cautioned that failure to abide

by the restrictions of the “Standing Order Governing Discovery” may be punished by the court’s use of its contempt powers.

IT IS SO ORDERED.

August 1, 2014
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge